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HOUSE BILL 270

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO CRIMINAL SENTENCING; REQUIRING FELONY OFFENDERS TO PROVIDE INFORMATION REGARDING THEIR INTENDED RESIDENCE DURING PROBATION; AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 31-21-21 NMSA 1978 (being Laws 1963, Chapter 301, Section 17) is amended to read:

"31-21-21. CONDITIONS OF PROBATION. --

A. The board shall adopt general ~~[regulations]~~ rules concerning the conditions of probation ~~[which]~~ that apply in the absence of specific conditions imposed by the court.

All probationers are subject to supervision of the board, unless otherwise specifically ordered by the court in the particular case. Nothing in the Probation and Parole Act limits the authority of the court to impose or modify ~~[any]~~ a

underscoring material = new
[bracketed material] = delete

1 general or specific condition of probation. The board may
2 recommend and by order the court may impose and modify [~~any~~
3 ~~conditions~~] a condition of probation. The court shall transmit
4 to the board and to the probationer a copy of [~~any~~] an order.

5 B. As a condition of probation, a court shall order
6 a felony offender to provide it with an affidavit from the
7 owner of the residence where the offender intends to reside
8 during the term of his probation. The affidavit shall confirm
9 that the owner is willing to allow the offender to reside at
10 the owner's residence during the term of probation. "

11 Section 2. EFFECTIVE DATE. --The effective date of the
12 provisions of this act is July 2, 2003.